

October 23, 2008

USPTO

Maintenance Fee Branch

05 NOV 2008 RECEIVED

NOV 12 2008

OFFICE OF PETITIONS

FROM: THEODORE M. SIRKIN  
23262 Oxnard Street  
Woodland Hills, CA 91367

(818) 887-1866

TO: Director of the U.S. Patent & Trademark Office  
Mail Stop >Post Issue<  
P.O. Box 1450  
Alexandria, VA 22313-1450

Ref: Patent Number 6799732  
Issued October 5, 2004  
Application Number 10027335

Adjustment date: 11/07/2008 DALLEN  
10731/2008 MBELETE1 00000075 6799732  
01 FC:1599 -2130.00 OP

To the Director,

I, Theodore M. Sirkin, hereby remit the sum of \$2,130.00 for the maintenance fees for my patent issued on October 5, 2004 – Patent Number 6,799.732.

The payment is broken down as follows:

Maintenance fees due April 4, 2008: \$ 490.00

Surcharge for Unintentional Delay: 1,640.00  
(See copy of letter enclosed)

\$ 2,130.00

Please note that there is a copy of a letter enclosed to the Commission, which was mailed concurrently with this payment requesting consideration that the circumstances causing the delay of the maintenance fees was *unavoidable* as opposed to being *unintentional*. The check, though, includes the surcharge amount for an unintentional delay and if the Director permits, any refund amount should be returned to the Woodland Hills address noted above.

I respectfully request that the Director re-instate my patent.

Very truly yours,

Theodore M. Sirkin

11/07/2008 DALLEN 00000012 6799732

01 FC:2551  
02 FC:1558

490.00 OP  
1640.00 OP

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER.

1391

BANK OF THE WEST

90-4284/1222

Valuelte, Inc.  
dba Valuelte Systems  
23262 Bernard Street  
Woodland Hills, CA 91367

PAY TO THE  
ORDER OF

U.S. Patent & Trademark Office \$2,130.00  
Twenty-one hundred thirty and no/100 DOLLARS

Re: 6,799,732

*[Signature]*

p

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES A SECURITY SCREEN - HOLD AT ANGLE TO VIEW

1391

Valuelte, Inc.  
dba Valuelte Systems

Maintenance fees  
6,799,732

490-

Surcharge - Delayed  
payment \$1640-  
\$2130.00

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OFFICE OF PETITIONS

FROM: THEODORE M. SIRKIN  
23262 Oxnard Street (818) 887-1866  
Woodland Hills, CA 91367

TO: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Ref: Patent Number 6799732  
Issued October 5, 2004  
Application Number 10027335

To the Director,

I, Theodore M. Sirkin, hereby make petition to the Director to grant late payment of my first-time patent maintenance fee the status of 'UNAVOIDABLE DELAY'. Please find attached to this letter a copy of my check in the amount of \$2,130.00. This payment is sent concurrently with this letter to your "Post Issue Dept." for the maintenance fees of \$490.00 and the \$1,640.00 fee for paying late under "UNINTENTIONAL DELAY" status.

When the patent was granted on October 5, 2004, my patent attorney, Robert Schaap, advised me via a letter dated November 2, 2004, that my first maintenance fee was due 4 years from date of patent issuance, the second fee was due 8 years after and the third fee due 12 years after. I entered those dates onto my patent file so that I would not miss them. Approximately, two months ago in mid-August, I contacted Mr. Schaap's office requesting the information I needed in order to make the payments. (Other than getting e-mails, I am not very computer literate.) He and his secretary assured me they would provide the information. For the next few weeks, I constantly nagged them every 3 or 4 days requesting that info so I could pay the fees. On October 4<sup>th</sup>, the day prior to the last day, I begged them to please e-mail or call me with that info. I also called Mr. Schaap on October 5<sup>th</sup> and left pleading messages for him to get back to me.

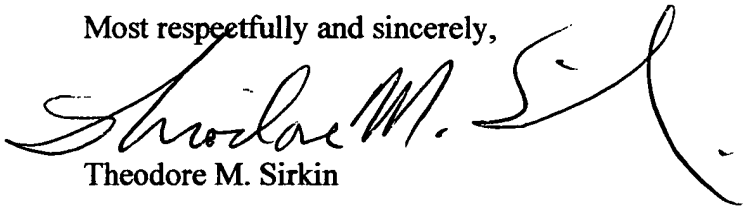
Just prior to this time, Mr. Schaap's secretary went on part time with Mr. Schaap and took full time employment with another company. Apparently, she handled everything for him. In any event, not until October 8<sup>th</sup>, did she e-mail me the information that I needed to make my maintenance fee payment and that was 3 days too late. Mr. Schaap himself had no idea where to make the payments, only the secretary knew. As you can see by his November, 2004 letter, he did not even know that the payment was due 3 1/2 years after issuance. Up until a few days ago, he even argued with me that the payment was not due without penalty until after 4 years from issuance.

Had my attorney properly advised me that the maintenance fees were due 3 ½ years after issuance instead of four years, this problem would never have arisen because I would have made sure the fees were paid prior to the 3 ½ year mark just to avoid the \$65.00 surcharge, not to mention the \$1,640.00 surcharge. A copy of Mr. Schaap's November, 2004 letter is also enclosed with this letter. Also, find enclosed a copy of the e-mail dated October 8, 2008, from Liliana Zepeda, Mr. Schaap's secretary.

As you can see by the copy of the check enclosed with this letter, the remitted amount is for "UNINTENTIONAL DELAY" but under the circumstances, which were completely unavoidable on my part, it is respectfully requested that the Director grant the status of "UNAVOIDABLE DELAY" so that at least the surcharge is reduced from \$1,640.00 down to \$700.00.

We also are appealing to the director because we are a young start-up company that can ill-afford this \$1,640 surcharge due to the misinformation of our patent counsel and the ensuing inconsiderate acts of the attorney's secretary. We also ask the Director, if possible, to consider the mission of our company, which is the utilization of this patent along with our first one to help the country in alleviating the water crises that are causing serious concern in many areas of the country, most notably, the Sunbelt. (The two patents involve water savings sprinklers.)

Most respectfully and sincerely,

A handwritten signature in black ink, appearing to read "Theodore M. Sirkin", with a long, sweeping flourish extending to the right.

Theodore M. Sirkin

Enc: Copy of \$2,130.00 check  
Copy of Request for Entity Status and Fee address Changes to:

Director of the U.S. Patent & Trademark Office  
attn: Maintenance Fees  
2051 Jamieson Avenue - Suite 300  
Alexandria, VA 22314

Copy of 11/2/04 letter from counsel  
Copy of 10/8/08 e-mail from counsel's secretary, Ms. Zepeda



October 23, 2008

FROM: THEODORE M. SIRKIN  
23262 Oxnard Street (818) 887-1866  
Woodland Hills, CA 91367

TO: Director of the U.S. Patent & Trademark Office  
attn: Maintenance Fees  
2051 Jamieson Avenue - Suite 300  
Alexandria, VA 22314

Ref: Patent Number 6799732  
Issued October 5, 2004  
Application Number 10027335

Patent Number 6568608  
Issued May 27, 2003  
Application Number 09755793

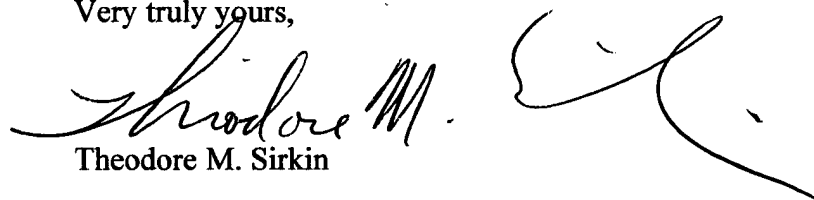
To the Director,

I, Theodore M. Sirkin, hereby request the Director to change the Entity Status and Fee Address pertaining to the two above-noted patents to the following address:

**THEODORE MARTIN SIRKIN  
23262 OXNARD STREET  
WOODLAND HILLS, CA 91367**

I hereby certify that I am the lawful and original grantee and present owner of the above patents and that my former patent counsel, Robert Schaap, has no further involvement with them. I request that all future information and notices be sent directly to me.

Very truly yours,

  
Theodore M. Sirkin



PATENT, TRADEMARK  
COPYRIGHT &  
UNFAIR COMPETITION  
CAUSES

OF COUNSEL  
LENSKE, LENSKE & ABRAMSON

LAW OFFICES

**ROBERT J. SCHAAP**

A PROFESSIONAL CORPORATION

21241 VENTURA BOULEVARD, SUITE 188  
WOODLAND HILLS, CALIFORNIA 91364-2109

TELEPHONE (818) 346-6555

FAX (818) 346-2041

LOS ANGELES OFFICE  
5601 WEST SLAUSON BOULEVARD  
SUITE 178  
LOS ANGELES, CALIFORNIA 90230

TELEPHONE  
(310) 645-6460

**RECEIVED**

**NOV 12 2008**

**OFFICE OF PETITIONS**

November 2, 2004

Mr. Ted M. Sirkin  
California Landscape Development Co.  
23262 Oxnard Street  
Woodland Hills, California 91367

Re: U.S. Patent Application Serial No. 10/027,335  
on Water Sprinkler Head with Integral Off-On  
Water Flow Control Valve and Adaptive Fittings  
Therefor

Dear Ted:

We are pleased to enclose herewith the ribbon copy of the U.S. Patent which matured from the captioned patent application and which is more fully identified below. Also enclosed are several additional soft copies of the patent.

Patent No.: 6,799,732 B2

Date of Issuance: October 5, 2004

Title: WATER SPRINKLER HEAD WITH INTEGRAL OFF-ON WATER  
FLOW CONTROL VALVE AND ADAPTIVE FITTINGS  
THEREFOR

If all maintenance fees are paid (as described below) the patent will have an effective life for a period of twenty years from the earlier of (1) the filing date of the patent application maturing into this patent or (2) the filing date of a patent application upon which priority is based and it is not renewable after that date.

However, the patent will lapse after a first four year period from the date of issuance unless a maintenance fee is paid to the U.S. Patent and Trademark Office before the end of the first four year period. The patent will also lapse after a second four year period (eight years from the date of issuance) unless a second

maintenance fee is paid before the end of the eight year period from the date of the issuance of the patent. The patent will further lapse after a third four-year period (twelve years from the date of issuance) unless a third maintenance fee is paid before the end of the twelve year period. The date by which the maintenance fees must be paid for each of the three payment periods are:

First Maintenance Fee Payment: October 5, 2008

Second Maintenance Fee Payment: October 5, 2012

Third Maintenance Fee Payment: October 5, 2016

Please assume the full responsibility to follow up on this matter. Therefore, be sure to mark your follow-up records to review this matter and determine if you wish to pay the maintenance fees at least nine months before the end of each four year period, (at least nine months prior to each of the above specified dates).

Please acknowledge receipt of this ribbon copy of the patent by executing the enclosed copy of this letter and returning the same to me.

Cordially,



ROBERT J. SCHAAP

ACKNOWLEDGED AND RECEIVED

\_\_\_\_\_  
DATED: \_\_\_\_\_

RJS/sam  
Enclosures

From: Liliana zepeda <slfzepeda@hotmail.com>  
Subject: **USPTO Website**  
Date: October 8, 2008 8:04:43 PM PDT  
To: ted <littlevalve@valvettesystems.com>

Ted,

Here is the website to pay the fees. Just copy and paste the website on the address bar.  
<https://ramps.uspto.gov/eram/patentMaintFees.do>

Please confirm if you received this e-mail.

Thanks,

Liliana

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